

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

CENTURY SURETY COMPANY,

X

Civ No.: 1:15-cv-04509

Plaintiff

-against-

AA GENERAL TRADING CORP., D/B/A AA
AUTOBODY & REPAIR, GENERAL TRADING
CORP., DBA AAA AUTOBODY & REPAIR,
AVIS BUDGET GROUP, INC.,
AVIS BUDGET GROUP, LLC.,
BUDGET TRUCK RENTAL LLC.,
HAMILTON AUTO INC.,
NOCHAM KAPLAN and CHANA KAPLAN,

**NOTICE FOR
DISCOVERY AND
INSPECTION**

Defendants,

X

PLEASE TAKE NOTICE, that you are hereby required to supply to the undersigned at the below listed address for discovery, inspection and copying, pursuant to CPLR Article 31, within twenty (20) days of the date of service herein, the following:

1. Copies of all insurance policies and/or contracts of insurance between CENTURY SURETY Co. and AA GENERAL TRADING CORP. D/B/A AA AUTOBODY & REPAIR, GENERAL TRADING CORP. D/B/A AAA AUTOBODY & REPAIR;
2. Copies of all correspondence related to this action and underlying claim between CENTURY SURETY Co. and AA GENERAL TRADING CORP. D/B/A AA AUTOBODY & REPAIR, GENERAL TRADING CORP. D/B/A AAA AUTOBODY & REPAIR;
3. Copies of all disclaimer notices issued by CENTURY SURETY Co. related to any insurance policies issued to AA GENERAL TRADING CORP. D/B/A AA AUTOBODY & REPAIR, GENERAL TRADING CORP. D/B/A AAA AUTOBODY & REPAIR;
4. Copies of all reports, memoranda, letters or other correspondence received by the plaintiff concerning the incident involving the litigation entitled action KAPLAN v. AVIS BUDGET GROUP, INC., AVIS BUDGET GROUP, LLC., AND BUDGET TRUCK RENTAL, LLC., HAMILTON AUTO, INC., and AA AUTOBODY REPAIR, Kings County Supreme Court Index # 4144/13;

5. Copy of the insurance policy or policies that plaintiff claims applies to the underlying action KAPLAN v. AVIS BUDGET GROUP, INC., AVIS BUDGET GROUP, LLC., AND BUDGET TRUCK RENTAL, LLC., HAMILTON AUTO, INC., and AA AUTOBODY REPAIR, Kings County Supreme Court Index # 4144/13
6. All photographs under the control of said plaintiffs and or defendants or the attorneys or representatives of the plaintiff and/or defendants showing the condition of the vehicle involved in the accident as it existed following the accident alleged herein.

PLEASE TAKE FURTHER NOTICE, that pursuant to CPLR 3101(h) the foregoing demand is a continuing demand. In the event any of the above items occur or are obtained after service of this demand, or service of a response hereto, they are to be furnished to the undersigned forthwith.

PLEASE TAKE FURTHER NOTICE, that the answering defendant(s) reserves the right to request a sworn reply and that your failure to comply herewith will result in an application by the undersigned to the Court for the appropriate relief including, but not limited to, striking of pleadings or preclusion of testimony or evidence at the time of trial.

Dated: Islip Terrace, New York
January 10, 2017

Yours, etc.,

ZAKLUKIEWICZ, PUZO
& MORRISSEY, LLP


STEPHEN F. ZAKLUKIEWICZ

Attorneys for Defendants

Office & P.O. Address

2701 Sunrise Highway, Ste 2

PO Box 389

Islip Terrace, NY 11752

(631) 859-0300

(631) 859-5284 fax #

TO:

HURWITZ & FINE, P.C.
Attorneys for Plaintiff
CENTURY SURETY COMPANY
1300 Liberty Building
Buffalo, New York 14202
(716) 849-8900

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)

ss.:

COUNTY OF SUFFOLK)

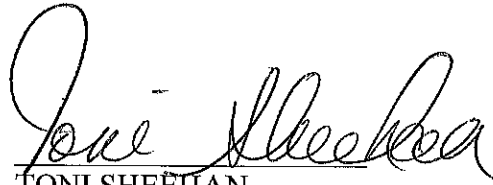
TONI SHEEHAN, being duly sworn, deposes and says:

That deponent is not a party to the within action, is over the age of eighteen (18) years of age and resides at Bay Shore, New York.

That on the 10th day of January, 2017, deponent served the within NOTICE FOR DISCOVERY AND INSPECTION upon the following attorney(s) for that purpose by depositing a true copy of same enclosed in a postpaid properly addressed wrapper, in a post office box under the exclusive care and custody of the United States Postal Service within the State of New York.

TO:

HURWITZ & FINE, P.C.
Attorneys for Plaintiff
CENTURY SURETY COMPANY
1300 Liberty Building
Buffalo, New York 14202
(716) 849-8900


TONI SHEEHAN

Sworn to before me this
10th day of January, 2017


NOTARY PUBLIC



VALERIE FLIPSE
Notary Public, State of New York
No.: 01FL6187214
Qualified in Suffolk County
Commission Expires May 18, 2020